



U.S. House of Representatives Committee on the Judiciary F. James Sensenbrenner, Jr., Chairman

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News Advisory

For immediate release
January 31, 2006

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Sensenbrenner Highlights PATRIOT Act Conference Report Civil Liberty Safeguard #27

WASHINGTON, D.C. – With Senate approval of the PATRIOT Act reauthorization conference report appearing unlikely before the PATRIOT Act's February 3 expiration, House Judiciary Committee Chairman F. James Sensenbrenner, Jr. (R-Wis.) today highlighted another one of the dozens of civil liberties safeguards included in the PATRIOT Act conference report approved last month with the support of almost all Republicans and 44 Democrats and is pending before the U.S. Senate.

PATRIOT Act Conference Report Civil Liberty Safeguard #27 – Providing a Four-Year Sunset on FISA “Roving” Wiretaps:

A “roving” wiretap must meet all of the legal requirements for issuing single-point wiretaps but allows the investigators’ surveillance to follow the target rather than just a single phone or communications device. In an age of disposable cell phones, “roving” wiretaps are a reasonable and common-sense updating of investigative techniques to account for technological advances.

In 2001, the PATRIOT Act extended the “roving” wiretap authority that has existed in criminal cases since 1986 to international spying and terrorism cases by allowing a Foreign Intelligence Surveillance Act (FISA) Court judge to authorize a “roving” wiretap provided the applicant demonstrates there is probable cause to believe the target is a foreign spy or terrorist. **Despite no evidence that the FISA “roving” wiretap authority has been abused, the PATRIOT Act conference report aggressively attempts to avoid any potential abuse of FISA “roving” wiretaps by providing a four-year sunset of this authority.** This civil liberty safeguard will ensure Congress revisits this authority in four years.

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